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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	No. CR 14-00638 JD
)	
Plaintiff,)	STIPULATION AND PROPOSED
)	ORDER TO CONTINUE STIPULATED
)	FACTS BENCH TRIAL DATE TO
vs.)	DECEMBER 18, 2015 AND TO EXCLUDE
)	TIME UNDER THE SPEEDY TRIAL ACT
)	
KONRAD WOLFF,)	
)	
Defendant.)	Hearing Date: December 11, 2015
)	Time: 10:00 a.m.

The above-captioned matter is set on December 11, 2015 before this Honorable Court for a stipulated facts bench trial. For the reasons set forth below, the parties jointly request that the Court continue this matter to December 18, 2015, at 1:30 p.m., and that the Court exclude time under the Speedy Trial Act.

On February 19, 2015, in a superseding indictment, the Grand Jury charged Mr. Wolff in two counts with the receipt of child pornography and with the possession of child pornography, violations of 18 U.S.C. § 2252. He faces a maximum sentence of 20 years on the receipt charge. On March 10, 2015, Mr. Wolff was arraigned on the superseding indictment. Mr. Wolff is out of

1 custody.

2 This matter was previously set on December 10, 2015 for a stipulated facts bench trial.
3 On October 26, 2015, the parties submitted joint stipulations of fact for the Court's review. On
4 November 13, 2015, the Court moved the scheduled stipulated facts bench trial date from
5 December 10, 2015 to December 11, 2015. Defense counsel will be out-of-town and unavailable
6 on December 11, 2015. For this reason, the parties request that the Court continue the stipulated
7 facts bench trial to December 18, 2015.

8 The parties stipulate and agree that the ends of justice served by this continuance
9 outweigh the best interest of the public and the defendant in a speedy trial. The parties further
10 agree that the failure to grant this continuance would unreasonably deny defendant continuity of
11 counsel. Accordingly, the parties agree that the period of time from December 10, 2015 until
12 December 18, 2015, should be excluded in accordance with the provisions of the Speedy Trial
13 Act, 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv), for continuity of defense counsel, taking into
14 account the exercise of due diligence.

15
16 DATED: November 17, 2015

/S/

SCOTT D. JOINER
Assistant United States Attorney

17
18 DATED: November 17, 2015

/S/

ANGELA MILELLA HANSEN
Assistant Federal Public Defender

ORDER

Based on the reasons provided in the stipulation of the parties above, the Court hereby finds:

1. Given that this case is set for a stipulated facts bench trial, and that the Court recently reset this matter from December 10, 2015 to December 11, 2015;
2. Given that defense counsel is unavailable on December 11, 2015;
3. Given that the ends of justice served by this continuance outweigh the best interest of the public and defendant in a speedy trial;

Based on these findings, it is hereby ordered that the stipulated facts bench trial date of December 11, 2015, scheduled at 10:00 a.m., is vacated and reset for December 18, 2015, at 1:30 p.m., in the San Francisco courthouse. It is further ordered that time is excluded pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), from December 10, 2015 until December 18, 2015.

DATED: 11/20/15



THE HON. JAMES DONATO
United States District Judge